

09/625,094

00RE089

REMARKS

Claims 1-43 are currently pending in the subject application and are presently under consideration. Applicant's representative would like to point out a typographical error in which the Examiner in the subject Office Action cites U.S. 6,111,943 in a non-statutory double patenting rejection, but it is believed the Examiner intended to cite U.S. 6,111,643.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons.

I. Rejection of Claims 1-43 under Non-Statutory Double Patenting

Claims 1-43 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. 6,067,159. Also, claims 1-43 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. 6,111,643. Withdrawal of this rejection is respectfully requested in view of the Terminal Disclaimer filed herewith.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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